Docket No.: 13838*2US
DS63252PCUS XS/kri
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Ulrich Kurze et al.

Application No.: 10/553,540 Confirmation No.: 4127

Filed: October 17, 2005 Art Unit: 1795

For: PRODUCTION OF PHOTOPOLYMERIZABLE, CYLINDRICAL, CONTINUOUSLY SEAMLESS FLEXICAL FLEXOGRAPHIC PRINTING PLATES

Examiner: C.N. Robinson

AF

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Reconsideration is respectfully requested of the Office Action dated May 22, 2008. In that regard, it is respectfully submitted that Claims 1-2 and 4-18 are patentable over Cushner et al. in view of Schober et al.

As pointed out in the amendment of March 26, 2008, Cushner et al. teach a completely different approach for forming a seamless cylindrical photosensitive element on a flexible sleeve, as compared to the present invention. According to Cushner et al., a molten stream, or a molten or solid sheet of photopolymerisable material is supplied onto the sleeve, and the molten photopolymerisable material is calendered on the sleeve, and the sleeve is moved around and long the longitudinal axis in a helical fashion to polish the outer circumferential surface of the element to a seamless uniform state. It should be noted that, according to all embodiments of Cushner et al, the photopolymerisable material is processed on the sleeve in a molten state.

The Examiner relies on Schober et al. as a secondary reference. Schober et al. teaches cementing together sheets of photopolymerisable material by using an adhesive. According to Schober et al, the ends of the sheet are provided with a bevel cut and substantially rest against one another. However, it makes absolutely no sense to employ sheets having bevel cuts, and substantially resting against one another, in the method of Cushner et al., since Cushner et al. uses molten photopolymerisable material The sleeves are coated with the molten polymerisable material, by using the specific method and the specific apparatus of Cushner et al. There was no motivation to those skilled in the art to modify the Cushner et al. process by the Schober et al. method, since such modification would mean replacing the Cushner et al. process by the Schober et al. method. It is therefore unreasonable to combine the two references, because doing so is an obvious attempt of hindsight reconstruction of the invention from the references.

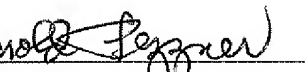
However, even a combination of the two references does not teach step g) of the inventive process, as pointed out in the March 26, 2008 response to the previous Office Action. In this respect, the Examiner's comment in "Response to Arguments" is particularly difficult to understand. The Examiner argues that (a) Cushner et al. disclose that a photopolymerisable layer can be made up of one of the following element: Kraton 2105, polyoil, "etc". Melting points taken from internet sites (150°C and 40-125°C, respectively) are given. The Examiner continues that (b) "Furthermore, Cushner et al. discloses in example 6 the temperature of the calendar rolls was 225°F (107°C)". It is not understood as to what the Examiner intends to prove by these statements. Of course, a mixture of Kraton 2105 having an alleged melting point of 150°C and a polyoil having a melting point of 40°C can give a composition having a melting point lower than 107°C, i.e. lower than the temperature of the calendar rolls. The line of reasoning of the Examiner, however, appears to be somewhat incomplete. More important, example 4, to which the Examiner is referring, expressly states that a seamless cylindrical printing relief form is prepared from a photopolymerisable hot melt composition, see col. 23, lines 54-59 of Cushner et al. Example 6, to which the Examiner is also referring, says that "the temperature of the calendar rolls was 225°C (107°C). The hot melt was extruded at a feed rate of 20 lb/hr...", see col. 24, lines 62-63 of Cushner et al.

Again, the present invention does not make use of any molten photopolymerisable material, as taught by Cushner et al., or any adhesive in order to cement together the ends of the photopolymerisable layer, as taught by Schober, but the cut edges are joined at a temperature below the melting point of the photopolymerisable layer by bringing the surface of the photopolymerisable layer on the hollow cylinder into contact with the rotating calendar roll until the cut edges are joined to another.

In view of the above it is respectfully submitted that the rejection should be reconsidered and that this application should be passed to issue.

Dated: July 29, 2008

Respectfully submitted,

By 

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